

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

JESUS QUINTANA ALMANZA

PLAINTIFF

v.

Civil No. 06-2009

SHERIFF FRANK ATKINSON;
MIKE CONGER, Jail Administrator;
and NURSE CRYSTAL REED

DEFENDANTS

ORDER

On April 20, 2006, the defendants filed a motion to dismiss (Doc. 13). Their motion is based on the fact that mail they sent to the plaintiff at the Sebastian County Detention Center was returned with a notation that he was no longer at that facility. A change of address is being entered on the plaintiff's behalf. He has been transferred to a facility of the Arkansas Department of Correction. Accordingly, the motion to dismiss is moot.

Defendants also seek additional time to file their court ordered summary judgment motion (Doc. 16). They indicate they need to obtain discovery responses from the plaintiff and have been unable to do so. The motion for an extension of time is granted. Defendants are directed to file their summary judgment motion on or before **June 30, 2006**. Once the summary judgment motion is filed, the court will prepare a questionnaire to assist the plaintiff in responding to the motion. For this reason, plaintiff is directed not to respond to the motion for summary judgment until so ordered by the court.

IT IS SO ORDERED this 10th day of May 2006.

/s/ Beverly Stites Jones
UNITED STATES MAGISTRATE JUDGE